

REMARKS

Claims 20-22 are pending in this application. By the above amendment, claims 20-22 have been cancelled and claims 23 and 24 have been added.

The Office Action dated September 22, 2004, has been received and carefully reviewed. In that Office Action, claim 20, is rejected under 35 U.S.C. 102(b) as being anticipated by Yagizawa. Claims 20 and 22 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 4 of U.S. Patent No. 6,310,981 in view of Yagizawa. Claim 20 is also provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 20 of copending application no. 10/728,866. Claim 21 is indicated to be allowable if amended to include the limitations of its base claim. Each of these rejections is respectfully traversed in view of the following remarks.

By the above amendment, claims 20-22 have been cancelled. In addition, the claims in co-pending application no. 10/728,866 have been amended.

New claim 23 requires an image data coding apparatus comprising a motion compensation means, a transforming means, a quantizing means, an inverse quantizing means, and an inverse transforming means. The motion compensation means is composed of plural motion compensation tools, the image data coding apparatus

transmits differential information indicating an additional condition for a tool constituting a decoding algorithm for decoding a coded image data wherein the differential information includes information indicating a motion compensation tool. These features are different than what is now claimed in co-pending application no. 10/728,866, and are not shown or suggested by the prior art. For this reason, claim 23 is submitted to be in condition for allowance.

Claim 24 requires an image data decoding apparatus comprising a motion compensation means, an inverse quantizing means and an inverse transforming means. The motion compensation means is composed of plural motion compensation tools, and the image data decoding apparatus receives differential information indicating an additional condition for a tool constituting a decoding algorithm for decoding a coded image data, and the differential information includes information indicating a motion compensation tool. These features are different than what is now claimed in co-pending application no. 10/728,866, and are not shown or suggested by the prior art. For this reason, claim 24 is submitted to be in condition for allowance.

Conclusion

Each issue raised in the Office Action dated September 22, 2004, has been addressed, and it is believed that claims 23 and 24 are in condition for allowance. Wherefore, examination and allowance of these claims is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

  
By Charles Gorenstein, #29,271

  
CG/SIW/ph  
1152-0293P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000